IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 15781 of 2004(D)

PETITIONER:

PIUS AKKARA S/O. ANTHAPPAI,
AKKARA HOUSE,VARANTHARAPILLY P.O.,
THRISSUR 680 303

BY ADV. SRI.T.C.SURESH MENON
SRI.SUDHEESH.A.

RESPONDENTS:

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1. REVENUE DIVISIONAL OFFICER,
THRISSUR

2. VARANTHARAPPILLY GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, VARANTHARAPPILLY
GRAMA PANCHAYATH, THRISSUR PIN 680 303.

3. VELUPADAM MAHALL COMMITTEE,
REPRESENTED BY ITS PRESIDENT, P.O. VELUPPADAM,
THRISSUR DISTRICT-680 303

BY ADV. SRI.K.S.MENON for R2
SRI. K.R. DEEPA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: TRUE COPY OF THE COMPLAINT FILED BY THE PETITIONER DATED 25.02.2004

EXT.P2: TRUE COPY OF THE REPLY SENT BY THE 2ND RESPONDENT TO THE PETITIONER DATED 26.02.2004.

EXT.P3: TRUE COPY OF THE COMPLAINT SUBMITTED BEFORE THE 1ST RESPONDENT DATED 25.02.2004.

EXT.P4: TRUE COPY OF THE ORDER DATED 04.12.2004 ISSUED BY THE 1ST RESPONDENT.

/True Copy/

P.A to Judge.

KURIAN JOSEPH , J

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W.P.(C) NO. 15781 OF 2004

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Dated this the 6th day of July, 2007.

JUDGMENT

The writ petition is filed with the following prayers:

i) issue a writ of mandamus directing respondents 1 and 2 to take appropriate action to curb the unauthorised construction undertaken by the 3rd respondent.

ii) issue a writ in the nature of mandamus directing the first respondent to consider on merit Exhibit P3 complaint with notice to all affected parties.

iii) Declare that the 3rd respondent cannot convert a godown into a mosque in violation of Section 235A(2)(b) of the Kerala Panchayath Raj Act.

2. In case the petitioner has still any grievance left, he may produce a copy of this judgment before the 1st respondent in which case Ext.P3 representation will be considered with notice to the petitioner and 2nd and 3rd respondents and appropriate orders, in accordance with law, will be passed within another three months.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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